

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

MICHAEL D. LUNDY, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 02-0189-CV-W-FJG
	)	
GUY M. HILDER, et al.,	)	
	)	
Defendants.	)	

**ORDER**

After reviewing the many letters and filings of the parties in the instant matter, the Court finds that there needs to be a mechanism in place for the Court to be able to monitor (1) what items defendants claim to have been turned over to plaintiff Optimization, Inc. and (2) whether plaintiff Optimization, Inc. has received those items, and if so, when those items were received. Accordingly, plaintiffs and defendants are **ORDERED** to provide a **joint proposal** to the Court on or before **March 30, 2006**, providing a mechanism for the Court to monitor their performance under the Court's Orders. The parties are cautioned that if they fail to provide a joint proposal to the Court, the Court will design and implement its own monitoring mechanism.

Further, the Court is cognizant of defendants' concerns outlined their Response to the Order to Show Cause (Doc. No. 274) with respect to transferring assets to Mr. Lundy and/or Mr. Allen. To the extent that the Court's Order Granting Further Injunctive Relief directed that assets would be transferred to plaintiffs (see Doc. No. 248 ¶ 7), paragraph seven of the Order Granting Further Injunctive Relief (Doc. No. 248) is **MODIFIED** to now state: "The Hilders shall through their counsel make immediate contact with counsel for the

plaintiffs and cooperate to arrange in an orderly fashion for S. Turner Allen and/or Michael Lundy, as statutory trustees for Optimization, Inc., to take dominion, control and possession of all assets of Optimization Inc. and to identify any assets purchased with Optimization, Inc. Proceeds or revenues. Assets purchased with Optimization, Inc. Proceeds or revenues may be subject to this Court's injunctive order."

**IT IS SO ORDERED.**

Dated: March 15, 2006  
Kansas City, Missouri

/s/ Fernando J. Gaitan, Jr.  
Fernando J. Gaitan, Jr.  
United States District Judge